

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official
capacity as President of the United States of
America, et al.,

Defendants.

NO.

DECLARATION OF EMMA SANDOE

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ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 Fifth Avenue, Suite 2000
Seattle, WA 98104
(206) 464-7744

1 I, Emma Sandoe, declare as follows:

2 1. I am over the age of 18, competent to testify as to the matters herein, and make
3 this declaration based on my personal knowledge. I am the Medicaid Director for the Oregon
4 Health Authority (OHA).

5 2. I have been serving as Medicaid Director since July 2024, prior to that I served
6 as the Deputy Director of Medicaid Policy for North Carolina Medicaid.

7 3. OHA is the designated single state agency responsible for administering Oregon's
8 Medicaid program. ORS 413.032(1)(e). OHA has a mission to "transform the health care system
9 in Oregon by: Improving the lifelong health of people in Oregon; Increasing the quality,
10 reliability, and availability of care for all people in Oregon; and lowering or containing the cost
11 of care so it's affordable to everyone.

12 4. OHA operates the Oregon Health Plan (OHP), Oregon's Medicaid program
13 regulated by the U.S. Department of Health and Human Services. Medicaid is jointly funded by
14 both state and federal dollars, though at different rates. OHA also administers some state funded
15 health care programs, including the Healthier Oregon Program.

16 5. OHA, through OHP, provides free or low-cost health care for income-qualified
17 individuals and includes the state's Medicaid program, which is a joint federal and state funded
18 program, as well as several state-only funded programs. OHA functions as the largest purchaser
19 of health coverage in Oregon. It is a leader in ensuring Oregon residents have access to services
20 and interventions that support health, and it is committed to whole-person care, integrating
21 physical and behavioral health services for better results and healthier communities in
22 Oregon. OHA purchases health care for nearly 1.4 million people through OHP and other
23 programs.

24 6. Medicaid is the federally matched medical aid program under Title XIX of the
25 Social Security Act (and Title XXI of the Social Security Act for the Children's Health Insurance
26 Plan) that covers the Alternative Benefit Package (ABP), Categorically Needy (CN) and

1 Medically Needy (MN) programs. The program is a state and federal partnership with states
2 funding a portion of the program. OHP provides coverage for a broad array of services,
3 including preventative care and other health care services.

4 7. OHA also oversees the Oregon Educators Benefit Board (OEBB) and the Public
5 Employees Benefits Board (PEBB) which develop benefit plans, including health care coverage,
6 for eligible public and school employees, retirees, and dependents.

7 8. Not only is it OHA's goal to "eliminate health inequities in Oregon by 2030" and
8 to work to ensure that all Oregonians "have easy access to affordable health care, prioritizing
9 communities most harmed by health inequities" OHA must cover gender-affirming treatment
10 that is medically necessary and prescribed in accordance with the standards of care. ORS
11 414.769(3).

12 9. OHA, through its Coordinated Care Organizations and fee for service providers,
13 provides coverage for gender affirming care, including but not limited to puberty blockers,
14 hormone therapy, and gender-affirming surgical procedures. These services are available to
15 individuals, including adolescents and young adults under the age of 19, when deemed medically
16 necessary by qualified health care professionals. OHA's coverage aligns with evidence-based
17 medical standards and national guidelines from World Professional Association for Transgender
18 Health (WPATH), a globally recognized authority on gender affirming care, whose Standards of
19 Care have been widely adopted by medical institutions worldwide.

20 10. The gender affirming care that OHA covers are evidence based and have proven
21 to be effective and safe medical treatments.

22 11. I understand that the President has issued an Executive Order that targets use
23 of puberty blockers, the use of sex hormones, and/or surgical procedures as gender affirming
24 care for individuals under 19 years of age.

25 12. The Executive Order directly undermines OHA's mission by imposing
26 restrictions that deter health care providers from offering gender-affirming services. This creates

1 significant barriers for patients and families seeking necessary medical care, increasing the risk
2 of untreated gender dysphoria and associated health complications.


3 13. The Executive Order further endangers OHA's ability to fulfill its mission by
4 placing financial constraints on health care providers who offer gender affirming care. By
5 limiting funding, the Executive Order disincentivizes providers from continuing these services,
6 ultimately reducing access for those in need.

7 14. In addition to impacts on those subject to this new policy will have a direct impact
8 on OHA's administration of its health care programs and the amount of federal funding
9 Oregon receives to reimburse medical expenses for children in Oregon.

10 15. OHA has received reports from health care providers indicating that, due to the
11 threat of funding reductions and potential criminal repercussions, some providers have ceased
12 or reconsidered offering gender-affirming care services. Providers have concerns about criminal
13 charges stemming from providing services. Additionally, OHA has been made aware that some
14 patients have experience increased delays in accessing these services, contributing to heightened
15 anxiety and uncertainty within the transgender and gender-diverse community.

16
17 I declare under penalty of perjury under the laws of the State of Oregon and the United
18 States of America that the foregoing is true and correct.

19 DATED and SIGNED this day of February 2025, at , Oregon.

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22 EMMA SANDOE
23 Medicaid Director
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